

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	NO. S1-4:18 CR 975 CDP
v.	)	
	)	
DUSTIN BOONE, et al,	)	
	)	
Defendants.	)	

**GOVERNMENT'S SECOND NOTICE OF INTENT**  
**TO USE AT TRIAL CERTIFIED RECORDS**

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Carrie Costantin and Robert F. Livergood, Assistant United States Attorneys for said District, and files its Second Notice of Intent to Use Custodian of Records Affidavit pursuant to Rules 803(6) and 902(11) of the Federal Rules of Evidence. In support thereof, the Government asserts:

1. All defendants are charged with Deprivation of Civil Rights under Color of Law; defendant Myers is charged with Destruction, Alteration, or Mutilation of Evidence in a Federal Investigation; and defendant Korte is charged with Making False Statements to the Federal Bureau of Investigation.

2. Attached hereto is the declaration of Lesley Ahlberg. Lesley Ahlberg is a Legal Specialist of Apple Inc.. As part of her duties she is a duly authorized Custodian of Records for Apple Inc. *See Attachment One.*

3. In compliance with Rule 902(11), the Government has provided the defense herewith a copy of the declaration and has made the records available for the defense.

Wherefore, the Government intends to offer the above-listed business records through a Custodian of Records affidavit pursuant to Rule 803(6) and Rule 902(11) of the Federal Rules of Evidence.

Respectfully submitted:

SAYLER A. FLEMING  
United States Attorney

s/Robert F. Livergood  
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CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2021, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all parties of record.

s/Robert F. Livergood  
ROBERT F. LIVERGOOD, 35432MO  
Assistant United States Attorney